

Appln No. 09/938,117
Amdt date July 12, 2007
Reply to Office action of January 25, 2007

REMARKS/ARGUMENTS

Pending Claims:

Claims 1, 4, 5 and 8-12 are pending, with all claims being amended herein. Claims 2, 3, 6, and 7 where previously canceled. Support for all claim amendments is found in the specification.

With regard to newly added limitations to independent claims 1, 5 and 11 of "providing client software having a graphical user interface with a print postage screen into which is entered a delivery address, and an option to print a sample mail piece or a sample label to be applied to a mail piece, the client software further including a feature to verify the validity of the delivery address," support for this is found in the Specification at page 5, lines 11-35. This section of the specification section also supports the newly added language to claim 9 "providing client software having a graphical user interface with a print postage screen into which is entered a delivery address, and an option to print a sample mail piece or a sample label to be applied to a mail piece."

Regarding the limitations added to independent claims 1, 5, 9 and 11 that "wherein for cases where accounting for postage on a mail piece has not been affected, such as when a user has selected to print a sample mail piece or a sample label to be applied to a mail piece" (added limitations are underlined), support for this is found in the Specification at page 6, line 8 to page 7, line 2.

Support for the limitations of independent claims 1, 5, 9 and 11 "the client software further provides the user with the opportunity to select a envelope size and customize an envelope size onto which will be printed the first designated indicium", is found on page 7, lines 4-19.

Claim Objections:

The Examiner objects to claims 1, 4, 8-10 and 12 for informalities, all of which have been attended to herein. With respect to items q. and s. noted on page 4 of the Office action, the

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word "therefor" is the correct word and is accordingly not replaced with the suggested word "therefore".

Claim Rejections - 35 U.S.C. §112, second paragraph:

Claims 5, 9, 11, and 12 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claims 5, 9 and 11 to overcome this ground of rejection. With respect to the Examiner's objection to claim 12, wherein the term "the void mail piece" appears in the fourth line of the claim, the term "the void mail pieces" is introduced in the preamble of claim 11 upon which claim 12 depends, so this ground of rejection appears to be inappropriate.

Claim Rejection - 35 U.S.C. §102(b):

The Examiner rejects claim 11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent no. 4,780,835 to Sievel et al. Applicant has carefully reviewed Sievel et al. and respectfully submits that with the amendment to claim 11, this ground of rejection is overcome. Nowhere does Sievel et al disclose "providing client software having a user with a graphical user interface with a print postage screen into which is entered a delivery address, and an option to print a sample mail piece or a sample label to be applied to a mail piece, the client software further including a feature to verify the validity of the delivery address, the client software further providing the user with the opportunity to select a envelope size and customize an envelope size onto which will be printed the first designated indicium" or "for cases where accounting for postage on a mail piece has not been affected, such as when a user has selected to print a sample mail piece or a sample label to be applied to a mail piece, using the client software to print the first designated indicium on a mail piece or a label to be applied to a mail piece, the first designated indicium comprising a unique facing identification marking (FIM) having a plurality of vertical bars arranged differently from FIM A, FIM B, and FIM C markings." Accordingly, this ground of rejection is traversed.

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Claim Rejection - 35 U.S.C. §103(a):

The Examiner rejects claims 1 and 5 under 35 U.S.C. §103(a) as being unpatentable over Sievel et al in view of U.S. Patent no. 5,319,562 to Whitehouse.

Sievel et al. discloses a postage meter with a built in anti-tampering meter that will, upon detecting evidence of tampering, print out a POSTNET barcode that does not correspond to an actual ZIP code. Sievel et al do not teach or suggest "providing client software having a graphical user interface with a print postage screen into which is entered a delivery address, and an option to print a sample mail piece or a sample label to be applied to a mail piece, the client software further including a feature to verify the validity of the delivery address, the client software further providing the user with the opportunity to select a envelope size and customize an envelope size onto which will be printed the first designated indicium," or "wherein for cases where accounting for postage on a mail piece has not been affected, such as when a user has selected to print a sample mail piece or a sample label to be applied to a mail piece, printing a first designated indicium on the mail piece or a sample label to be applied to the mail piece". Whitehouse is directed to a system and method for purchase and application of posting using a personal computer. While Whitehouse does disclose printing postage and a POSTNET barcode on an envelope, it does not teach or suggest "providing client software having ... an option to print a sample mail piece or a sample label to be applied to a mail piece."

Applicant respectfully submits that one having ordinary skill in the art apprised of the Sievel et al. and Whitehouse would nor find it obvious to arrive at the feature to allow a user to print a void sample mail piece. Sievel et al. is designed as a high throughput system for processing batch mail and detecting any incidence of fraud wherein a user attempts to tamper with the postage meter. See Abstract. Sievel et al. is not designed for personal users who may wish to print a sample mail piece or a label for a sample mail piece before printing the finalized mail piece or the label for a finalized mail piece, and nothing in Sievel et al. would suggest this feature. Whitehouse, while directed to a system and method for purchase and application of postage using a personal computer, likewise neither discloses nor suggests this feature. One having ordinary skill in the art would find no teaching, suggestion or motivation in the cited art

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for combining the references, and common knowledge and sense would not lead one skilled in the art to combine the references. Even if the cited references were to be combined, they would still not yield the cited invention. Accordingly, claims 1 and 5 are believed to be patentable.

The Examiner rejects claims 4 and 8 under 35 U.S.C. §103(a) as being unpatentable over Sievel et al in view of Whitehouse in further view of Anonymous "USPS Tries New Letter Tracking System". Inasmuch as claims 4 and 8 depend on independent claims 1 and 5, which are patentable, claims 4 and 8 are patentable as well.

The Examiner next rejects claim 9 under 35 U.S.C. §103(a) as being unpatentable over Sievel et al in view of U.S. Patent No. 6,680,783 to Pierce in further view of Whitehouse. Applicant respectfully submits that none of the cited references suggest "the client software further providing the user with the opportunity to select a envelope size and customize an envelope size onto which will be printed the first designated indicium". Accordingly, the cited references lack this claim element, and claim 9 can accordingly not be found obvious.

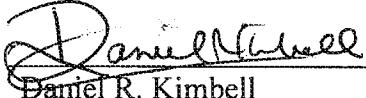
The Examiner rejects claim 10 under 35 U.S.C. §103(a) as being unpatentable over Sievel et al in view of Pierce et al. in further view of Whitehouse in further view of Anonymous. Inasmuch as claim 10 depends on independent claim 9 which is believed to recite patentable subject matter, claim 10 should be found patentable also.

Lastly, the Examiner rejects claim 12, dependent on independent claim 11, under 35 U.S.C. §103(a) as being unpatentable over Sievel et al in view of Anonymous. Inasmuch as claim 12 depends on independent claim 11 which is believed to be patentable, claim 12 is patentable as well.

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If the Examiner has any questions, a telephone call to the undersigned would be appreciated.

Respectfully submitted,
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